

From: Stephen Martin
To: Microsoft ATR,smartin@vanderfleet-martin.net@inetg...
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Subject: Microsoft Settlement

I would just like to voice my opinion that the proposed settlement does not go any where near far enough to punish Microsoft for thier abuses of power, nor does it provide any guarentee that they will be controlled or stopped from doing more of the same in the future. As a software developer and one who has sat on IETF working groups, I have seen how Microsoft controls and terrorizes the software industry. If a company is lucky, they may survive and flourish as long as they are able to remain under the radar of the giant. This means either servicing a market that Microsoft is not currently interested in, or working to support their cause in an area they at they can not currently be bothered to do themselves. Trying to compete against them at this point is impossible. It's impossible for two reasons, first no one will invest in a company that competes with Microsoft, and secondly how can you compete with a company that has a seemingly endless amount of money to spend on development.

Any solution to the Microsoft problem must require them to fully disclose all API's, protocols, RPC's, interfaces and file formats. It also must require them to place this information under the control of a standards body and provide full disclosure of any planned or proposed changes to them well before Microsoft releases any new software. This is extremely important given that Microsoft has supporting monopolies in both operating systems and desktop applications. Microsoft constantly uses proprietary file formats, protocols, etc. to not only push other vendors out of the market but to lock in consumers and force them to upgrade Microsoft software for no other reason than Microsoft has made a new version that is incompatable with the previous one. Forcing Microsoft to disclose this information in no way threatens their ability to "innovate" nor does it put them at a disadvantage in the market place. What it does do is provide the possibility, however slight, for other companies to enter and access the marketplace.

In closing I would just like to say that as a US resident, tax payer and consumer I do not support the current remedy and ask for something much stricter and comprehensive.

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